

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A transmission controller which controls a plurality of downlink transmission rates corresponding to a plurality of communications terminals based on a plurality of downlink transmission qualities corresponding to the communications terminals, comprising:

a transmission-quality obtaining unit configured to obtain said downlink transmission qualities of said communications terminals;

a communications-terminal selecting unit configured to select out of said communications terminals one or more communications terminals for changing ~~which cause to change~~ corresponding ~~one or more of the~~ downlink transmission rates in accordance with said downlink transmission qualities obtained at said transmission-quality obtaining unit, said communications-terminal selecting unit configured to select at least a communications terminal having a highest downlink transmission rate among communications terminals having a transmission quality below a threshold; and

a transmission-rate changing unit configured ~~which causes~~ to change said one or more of the downlink transmission rates corresponding to said one or more of the communications terminals selected at said communications-terminal selecting unit.

Claim 2 (Original): The transmission controller as claimed in claim 1, wherein said transmission-quality obtaining unit further comprises:

one of a transmission-quality measuring unit configured to measure said downlink transmission qualities by said transmission-quality measuring unit itself and a transmission-quality receiving unit configured to receive said downlink transmission qualities measured by and reported from said communications terminals.

Claim 3 (Original): The transmission controller as claimed in claim 1, wherein said communications-terminal selecting unit selects, as said one or more of the communications terminals which cause to change said corresponding downlink transmission rates, at least one out of said communications terminals with corresponding downlink transmission quality falling below a predetermined quality.

Claim 4 (Previously Presented): The transmission controller as claimed in claim 2, wherein said communications-terminal selecting unit selects said one or more of the communications terminals which cause to change said corresponding downlink transmission rates based on at least one of transmission speeds corresponding to said communications terminals, traveling speeds corresponding to said communications terminals, received-quality values reported from the corresponding communications terminals, arrival times of said received-quality values reported, and arrival orders of said received-quality values reported.

Claim 5 (Original): The transmission controller as claimed in claim 2, wherein said communications-terminal selecting unit selects randomly said one or more of the communications terminals which cause to change said corresponding downlink transmission rates.

Claim 6 (Original): The transmission controller as claimed in claim 2, wherein said communications-terminal selecting unit selects said one or more of the communications terminals which cause to change said corresponding downlink transmission rates based on a plurality of ratios relative to a predetermined power value of a plurality of total-transmission power values corresponding to said communications terminals.

Claim 7 (Currently Amended): A wireless base station which controls a plurality of downlink transmission rates corresponding to a plurality of mobile stations based on a plurality of downlink transmission qualities corresponding to the mobile stations, comprising:

a transmission-quality obtaining unit configured to obtain said downlink transmission qualities of said mobile stations;

a mobile-station selecting unit configured to select out of said mobile stations one or more mobile stations for changing which cause to change corresponding ~~one or more of the~~ downlink transmission rates in accordance with said downlink transmission qualities obtained at said transmission-quality obtaining unit, said mobile-station selecting unit configured to select at least a mobile station having a highest downlink transmission rate among mobile stations having a transmission quality below a threshold; and

a transmission-rate changing unit configured ~~which causes~~ to change said one or more of the downlink transmission rates corresponding to said one or more of the mobile stations selected at said mobile-station selecting unit.

Claim 8 (Currently Amended): A method of controlling transmission rate which controls a plurality of downlink transmission rates corresponding to a plurality of communications terminals based on a plurality of downlink transmission qualities corresponding to the communications terminals, comprising ~~the steps of:~~

obtaining said downlink transmission qualities of said communications terminals;

comparing with a predetermined quality value corresponding values of said downlink transmission qualities obtained;

selecting, when at least one of said downlink transmission qualities is determined to fall below a predetermined quality, as one or more of the communications terminals which cause to change corresponding one or more of the downlink transmission rates, at least one

communications terminal out of said communications terminals with corresponding downlink transmission quality falling below said predetermined quality and having a highest downlink transmission rate; and

changing said downlink transmission rate of said at least one communications terminal selected.

Claim 9 (New): The transmission controller as claimed in claim 1, wherein said communications-terminal selecting unit is configured to select m communication terminals with the highest transmission power based on the measured total transmission power value of all of said communication terminals.

Claim 10 (New): The wireless base station as claimed in claim 7, wherein said mobile-station selecting unit is configured to select m mobile stations with the highest transmission power based on the measured total transmission power value of all of said mobile stations.

Claim 11 (New): The method as claimed in claim 8, wherein said selecting includes selecting m communication terminals with the highest transmission power based on the measured total transmission power value of all of said communication terminals.